United Nations CRC/C/OPAC/BRA/Q/1

Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventieth session
14 September–2 October 2015
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by Brazil under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

The State party is requested to submit in writing additional, updated information (15 pages maximum), if possible before 15 June 2015.

The Committee may take up any aspect of the children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please clarify which of the State party's ministries has primary responsibility for the coordination of activities aimed at the implementation of the Optional Protocol and how those bodies or departments fulfil such a coordination function.

2. Please inform the Committee about past and ongoing public awareness programmes and activities, including campaigns, conducted by the State party to ensure that all communities, in particular children and their families, are adequately informed about the provisions of the Optional Protocol. Please also indicate whether the Convention and its Optional Protocols are included in the training provided to all relevant professional groups, in particular members of the armed forces at all levels, members of international peacekeeping forces, the police, immigration officials, judges, lawyers, medical and social workers, teachers and media professionals.

3. With respect to the military schools (CMs) and Military Preparatory Schools (EsPCEx, CN and EPCAr) mentioned in the State party report (CRC/C/OPAC/BRA/1), please provide updated information on:

(a) The number of persons below the age of 18 enrolled;

(b) The proportions of academic and military training in the curricula as well as the ratio of military instructors to civilians;

(c) Whether the training material and manuals used in these educational programmes contain specific guidelines developed for minors and measures taken to ensure that all instructors/teachers are trained in and consistently use these special guidelines when working with minors;

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(d) Whether students enrolled in these institutions are trained in the use of firearms;

(e) Whether students at military schools and military preparatory schools have access to independent complaints and investigation mechanisms and, if so, the number and nature of complaints registered and dealt with during the past three years.

4. Please provide information on the legislative and administrative measures taken by the State party to prevent the recruitment of children and adolescents by armed gangs, drug gangs and/or militia and to penalize perpetrators.

5. Please provide information on whether article 5, paragraph 1 of the Military Service Law, which establishes that in war time the military service obligation may be extended according to national interests, could include the mobilization of children under the age of 18 years.

6. Please provide information on measures, including legislation, used to prevent children from obtaining access to firearms. Please also provide information on measures for recovering firearms that may currently be in the possession of children in the State party.

7. Please clarify whether the legislation of the State party fully criminalizes all the offences covered by the Optional Protocol, including the recruitment and use of children in hostilities by non-State armed groups.

8. Please describe the measures taken to identify children who are especially vulnerable to practices contrary to the Optional Protocol, including due to their economic and social status, and describe any campaigns and other measures, such as peace education in the school curricula, that have been developed to promote awareness among such children of the harmful consequences of involvement in armed conflicts.

9. Please provide detailed information on the existence of any mechanisms for the early identification of children who are refugees, asylum seekers or migrants who may have been or who are at risk of being recruited and/or used in hostilities abroad. Please also provide precise data on the number of child victims of offences under the Optional Protocol among refugee and asylum seeking children living within the jurisdiction of the State party. Please provide information on the steps taken to provide for their physical and psychological recovery and rehabilitation.

10. Please indicate whether national legislation explicitly prohibits the trade and export of arms, including small arms and light weapons, as well as military assistance to countries where children are involved or may be recruited or used in an armed conflict.

11. Please indicate whether the State party can establish and exercise extraterritorial jurisdiction over all offences under the Optional Protocol, and, if so, under which specific legislation.